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Atty. Dkt. No.: 040922.008

PATENT

MAY 26 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: ARTEAGA, Carlos et al.)
Petitioner: Abaco, Inc. (Assignee))
Serial No.: 10/624,939) Group Art Unit: 2153
Filed: July 22, 2003) Examiner: To Be Assigned
For: System and Method for Transfer,)
Control, and Synchronization of Data)

PETITION UNDER 37 CFR § 1.47
REGARDING NON-SIGNING INVENTORS

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner respectfully requests under 35 U.S.C §116 and 37 C.F.R. §1.47(a) that the above-identified application be accepted on behalf of joint inventors Jose Mendez and Pedro Rivera on behalf of themselves and on behalf of joint inventors Carlos Arteaga, Marcos Mendez, Alberto Diaz, and Kipchoge Fergusson who cannot be found or reached after diligent effort.

Petitioner submits herewith a check in the amount of \$130.00 for the petition fee set forth in 37 C.F.R. §1.17(h).

All joint inventors, excepting Messrs. Arteaga, Mendez, Diaz, and Fergusson, have made a declaration on their own behalf as required by 37 C.F.R. §1.63 and have made a declaration on behalf of the non-signing joint inventors as required by 37 C.F.R. §1.64 (see Exhibit A).

The last known address at which each non-signing inventor customarily receives mail is provided below:

The PTO did not receive the following
listed item(s) Check: \$130 but
\$1005.

Mr. Carlos Arteaga
4350 Old Oak Trace
Cumming, Georgia 30041

Mr. Marcos Mendez
6620 Misty Lane
Cumming, Georgia 30040

Mr. Alberto Diaz
10535 Haynes Forest Drive
Alpharetta, Georgia 30022

Mr. Kipchoge Fergusson
3789 Market Crescent
Clarkston, Georgia 30021

The facts in this case are as follows:

The above-identified application was filed on July 22, 2003 as a continuation-in-part of U.S. Patent Application No. 09/769,777, filed January 25, 2001 ("the parent application"), and claims the benefit of priority of a provisional patent application, U.S. Patent Application No. 60/399,440, filed July 29, 2002 ("the provisional application"). All of Messrs. Arteaga's, Mendez's, Diaz's, and Fergusson's (hereinafter collectively referred to as "the non-signing inventors") invention rights in this application, including rights in the parent application and the provisional application, as shown in the attached assignment records of the parent and provisional applications in which they are inventors, have been assigned to Petitioner Abaco, Inc. (see Exhibit B).

The non-signing inventors are prior employees of the Petitioner. On May 18, 2004, Rene Lorenzo, Chief Financial Officer of Petitioner Abaco, Inc., reported the last known mailing addresses of the non-signing inventors to be the addresses provided above (see Exhibit C). Based on this contact information, Petitioners sent letters on May 18, 2003 to each of the non-signing inventors at their reported last known mailing addresses via Federal Express notifying them of the patent application. Each correspondence included a copy of the above-identified

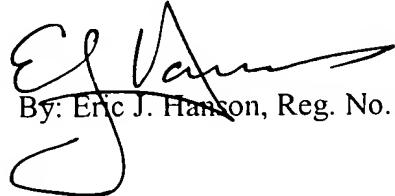
application as filed and the required declaration (see Exhibit D1). The cover letter requested that each non-signing inventor review the above-identified application and return the executed declaration as soon as possible (see Exhibit D1). Federal Express confirms that these requests were received on either May 19th and 20th by each of the non-signing inventors (see Exhibit D2). No reply has been received from any non-signing inventor.

A search of the current online AnyWho White Pages in Georgia reveals listings for each of the non-signing inventors that correspond to the last known mailing addresses provided by Mr. Lorenzo (see Exhibit E). Accordingly, it may be seen that Petitioner has attempted to reach each of the non-signing inventors at their respective last known address, that a copy of the subject patent application was received at their respective address, that Petitioner has no basis to believe that the last known mailing addresses are incorrect, and that Petitioner has therefore made all reasonable efforts in an attempt to obtain review of the application and execution of the declaration by the non-signing inventors.

Petitioner respectfully submits that the above-stated facts establish proof that the non-signing inventors cannot be found or reached after diligent effort as required by 37 C.F.R. § 1.47(a) (and MPEP §409.03(d)). Moreover, Petitioner respectfully notes that upon the granting of this petition, if the non-signing inventors are subsequently located or make contact with the Petitioner, they may join in the above-identified application per 35 U.S.C. §116 and 37 C.F.R. § 1.47(a).

Accordingly, Petitioner respectfully requests the granting of this petition to accord the above-identified application status under 37 C.F.R. §1.47.

Respectfully submitted,



By: Eric J. Hanson, Reg. No. 44,738

Dated: May 24, 2004

SMITH, GAMBRELL & RUSSELL, LLP
Suite 3100, Promenade II
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
Ph: (404) 815-3706
Fax: (404) 685-7006



**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted With Initial Filing Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	040922.006
First Named Inventor	ARTEAGA, Carlos et al.
COMPLETE IF KNOWN	
Application Number	To Be Assigned/
Filing Date	Concurrent Herewith
Art Unit	To Be Assigned
Examiner Name	To Be Assigned

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR TRANSFER, CONTROL, AND SYNCHRONIZATION OF DATA

the specification of which *(Title of the Invention)*

is attached hereto

OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY) Country	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

[Page 1 of 2]

This collection of information is required by 37 CFR 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/01 (05-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to:		<input checked="" type="checkbox"/> Customer Number or Bar Code Label	25,481	OR	<input type="checkbox"/> Correspondence address below
Name					
Address					
City	State		ZIP		
Country		Telephone		Fax	
<p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p>					
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])		Family Name ARTEAGA or Surname			
Inventor's Signature		Date			
Residence: City CUMMING	State GA	Country USA	Citizenship		
Mailing Address 4350 OLD OAK TRACE					
City CUMMING	State GA	Zip USA	Country USA		
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle [if any])		Family Name MENDEZ or Surname			
Inventor's Signature		Date			
Residence: City CUMMING	State GA	Country USA	Citizenship		
Mailing Address 6620 Misty Lane					
City CUMMING	State GA	Zip 30040	Country USA		
<input checked="" type="checkbox"/> Additional inventors or a legal representative are being named on the 1 supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.					

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ADDITIONAL INVENTOR(S)
Supplemental Sheet

Page 1 of 2

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Jose A.		MENDEZ	
Inventor's Signature		Date 4/22/04	
Residence: City SAN JUAN		State PR	Country USA
Mailing Address 121 COSTA RICA ST		Citizenship USA	
Mailing Address APT 103 COND. E 1 B1600			
City SAN JUAN		State PR	ZIP 00917 Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Alberto		DIAZ	
Inventor's Signature		Date	
Residence: City ALPHARETTA		State GA	Country USA
Mailing Address 10535 HAYNES FOREST DR.		Citizenship	
Mailing Address			
City ALPHARETTA		State GA	Zip 30022 Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Kipchoge		FERGUSON	
Inventor's Signature		Date	
Residence: City CLARKSTON		State GA	Country USA
Mailing Address 3789 Marker Crescent		Citizenship	
Mailing Address			
City CLARKSTON		State GA	Zip 30021 Country USA

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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Pedro <i>Pedro Rivera</i>		RIVERA	
Inventor's Signature		Date 4/22/04	
Residence: City SAN JUAN	State PR	Country USA	Citizenship USA
Mailing Address URB. MONTERREY			
Mailing Address 250 Horno/oya			
City SAN JUAN	State PR	ZIP 00926	Country USA
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address			
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Examiner Name	To Be Assigned

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the specification of which *(Title of the Invention)*

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			<input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
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Name					
Address					
City	State		ZIP		
Country		Telephone		Fax	
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NAME OF SOLE OR FIRST INVENTOR: <input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name ARTEAGA			
Carlos		or Surname			
Inventor's Signature		Date			
Residence: City CUMMING	State GA	Country USA	Citizenship		
Mailing Address 4350 OLD OAK TRACE					
City CUMMING	State GA	Zip USA	Country USA		
NAME OF SECOND INVENTOR: <input type="checkbox"/> A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])		Family Name MENDEZ			
Marcos		or Surname			
Inventor's Signature		Date			
Residence: City CUMMING	State GA	Country USA	Citizenship		
Mailing Address 6620 MISTY LANE					
City CUMMING	State GA	Zip 30040	Country USA		
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PTO/VS/02A (05-03)

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Given Name (first and middle [if any])		Family Name or Surname	
Jose A.		MENDEZ	
Inventor's Signature		Date 4/22/04	
Residence: City	SAN JUAN	State	PR
Country	USA	Citizenship USA	
Mailing Address 121 COSTA RICA ST			
Mailing Address APT 103 COND. EL BILBAO			
City	SAN JUAN	State	PR
ZIP	00917	Country	US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
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Alberto		DIAZ	
Inventor's Signature		Date	
Residence: City	Alpharetta	State	GA
Country	USA	Citizenship	
Mailing Address 10535 Haynes Forest DR.			
Mailing Address			
City	Alpharetta	State	GA
Zip	30022	Country	USA
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Kipchoge		FERGUSON	
Inventor's Signature		Date	
Residence: City	CLARKSTON	State	GA
Country	USA	Citizenship	
Mailing Address 3789 Marker Crescent			
Mailing Address			
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Inventor's Signature	4/22/04		
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Mailing Address URB. MONTERREY			
Mailing Address 250 HIMALAYA			
City SAN JUAN	State PR	ZIP 00926	Country USA
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Inventor's Signature		Date	
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Mailing Address			
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UNITED STATES
PATENT AND
TRADEMARK OFFICE

DECEMBER 20, 2002

ERIC J. HANSON
PROMENADE II, SUITE 3100
1230 PEACHTREE STREET
ATLANTA, GA 30309

PTAS

DEC 30 1968

Under Secretary of Commerce For Intellectual Property and
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102231798A

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/18/2002

REEL/FRAME: 013307/0650
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR: ARTEGA, CARLOS DOC DATE: 08/15/2002

ASSIGNOR: MENDEZ MARCOS DOC. DATE: 08/15/2002

ASSIGNOR: MENDEZ, JOSE A. REC'D DATE: 08/21/2002

ASSIGNOR: FERGUSON, KIRKWOOD
DOC DATE: 08/15/2002

ASSIGNOR: PIÑA, ALBERTO REC'D. DATE: 09/10/2008

RIVERA, PEDRO DOC DATE: 08/21/2002

SGR-IP
DOCKETED
12/31/02 kg

ASSIGNEE:
ABACO, INC.
1100 NORTHEMADOW PARKWAY
SUITE 150
ROSWELL, GEORGIA 30076

SERIAL NUMBER: 60399440
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

JEFFREY OLSEN, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT

This Assignment agreement is applicable to an invention entitled SYSTEM AND METHOD FOR TRANSFER, CONTROL, AND SYNCHRONIZATION OF DATA

The PATENT RIGHTS referred to in this agreement are:

(check one) a patent application about to be filed in the United States Patent and Trademark Office.

a patent application for this invention, executed by the ASSIGNOR(S) concurrently with this assignment.

U.S. Patent Application No. _____, filed July 29, 2002

a U.S. patent application based on PCT International Application No. _____ filed on (date) _____ (U.S. patent application Serial No. _____, if known).

U.S. patent No. _____, issued _____

The PATENT RIGHTS also include all non-provisionals, divisions, reissues, continuations and extensions of the patent application identified above.

The PATENT RIGHTS assigned under this agreement are:

(check one) U.S. patent rights only.

Worldwide patent rights. In this case, the assignee shall have the right to claim the benefit of the filing date of any U.S. or foreign patent application for this invention.

The ASSIGNOR(S) referred to in this agreement is/are the inventor(s) whose signature(s) appears on page 2 of this Assignment.

The ASSIGNEE referred to in this agreement is:

(Name of Assignee) Abaco, Inc.
(Address) 1100 Northmeadow Parkway, Suite 150, Roswell, Georgia 30076

The ASSIGNEE is:

(check one) An Individual.

A Partnership.

A Corporation of Delaware (specify state or country)

(other) _____

The ASSIGNOR(S), in consideration of \$10.00 paid by the ASSIGNEE, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, hereby assign(s) the following rights to the ASSIGNEE, its successors and assigns:

the full and exclusive right to the invention;

the entire right, title and interest in and to the PATENT RIGHTS;

the right to sue and recover for any past infringement; and,

the right to claim priority under 35 USC 119, 35 USC 120, or any other applicable provisions, based on any earlier patent applications for this invention.

As to all U.S. patent applications assigned under this agreement, the ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue

all Letters Patent to the ASSIGNEE as the assignee of the entire right, title and interest, for the sole use and enjoyment of said ASSIGNEE, its successors and assigns.

Further, the ASSIGNOR(S) agree(s) to communicate to said ASSIGNEE, or its representatives, any facts known to the ASSIGNOR(S) respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, substitute, renewal, reexamination and reissue applications, execute all necessary assignment papers to cause any and all Letters Patent to be issued to said ASSIGNEE, make all rightful oaths and generally do everything necessary or desirable to aid said ASSIGNEE, its successors and assigns, to obtain and enforce proper protection for said invention.

The ASSIGNOR(S) authorize(s) any attorneys and agents who have a power of attorney in this application to check any appropriate boxes and to insert the Application Number and filing date in this document after it has been executed.

Carlos Arteaga

Name of Inventor #1

C. Arteaga

8/15/2002

Date

Marcos Mendez

Name of Inventor #2

Marcos Mendez

8/15/02

Date

Jose A. Mendez

Name of Inventor #3

J. A. M.

8/15/02

Date

Kipchoge Fergusson

Name of Inventor #4

Kip Fergusson

08/15/2002

Date

Alberto Diaz

Name of Inventor #5

Alberto Diaz

08/19/2002

Date

Pedro Rivera

Name of Inventor #6

P. Rivera

8/21/2002

Date

P 18 2002

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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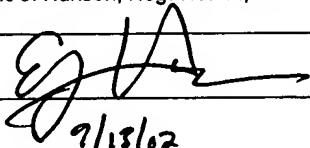
(to be used for all correspondence after initial filing)

		Application Number	60/399,440
		Filing Date	July 29, 2002
		First Named Inventor	Carlos Arteaga, et al.
		Group Art Unit	TBA
		Examiner Name	TBA
Total Number of Pages in This Submission	4	Attorney Docket Number	040922.006

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Check for \$40.00 for Recordation of Assignment, Return Receipt Postcard
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric J. Hanson, Reg. No. 44,738
Signature	
Date	9/13/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 9/13/2002

Typed or printed name	Mary Martha Adkins
Signature	
Date	9/13/2002

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To the Honorable Commissioner of Patents and Trademarks: Please Record the attached original documents or copy thereof.

1. Name of conveying party(ies):

ARTEAGA, Carlos
FERGUSSON, Kip
PAINTER, Jamie
ORTIZ, Robert

Additional name of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date:

2. Name and address of receiving party(ies)

Name: Abaco PR, Inc.

Internal Address: Suite 150

Street Address: 1100 Northmeadow Parkway

City: Roswell State: GA Zip: 30076

Additional Name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/769,777

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning this document should be mailed:

Name: Eric J. Hanson

Internal Address: Suite 3100, Promenade II

Street Address: 1230 Peachtree Street, N.E.

City: Atlanta State: GA Zip: 30309

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40

Enclosed

Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Eric J. Hanson, Reg. No. 44,738
Name of Person Signing

Signature

June 6, 2001

Date

Total number of pages including cover sheet, attachments, and documents: 4

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

RECORDATION FORM COVER SHEET

Continuation of Item 1:

Name of conveying party(ies):

MENDEZ, Josean

ESTEFANIA, Jose Carlos

RIVERA, Pedro

JIMENEZ, Charlie

ASSIGNMENT

This Assignment agreement is applicable to an invention entitled SYSTEM AND METHOD FOR REMOTE COMMUNICATION TRANSACTIONS.

The PATENT RIGHTS referred to in this agreement are:

(check one) a patent application about to be filed in the United States Patent and Trademark Office.

a patent application for this invention, executed by the ASSIGNOR(S) concurrently with this assignment.

U.S. Patent Application No. 09/769,777, filed January 25, 2001.

a U.S. patent application based on PCT International Application No. _____ filed on (date) _____ (U.S. patent application Serial No. _____, if known).

U.S. patent No. _____, issued _____.

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The ASSIGNEE is:

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A Partnership.

A Corporation of Puerto Rico (specify state or country)

(other) _____

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the full and exclusive right to the invention;
the entire right, title and interest in and to the PATENT RIGHTS;
the right to sue and recover for any past infringement; and,
the right to claim priority under 35 USC 119, 35 USC 120, or any other applicable provisions, based on any earlier patent applications for this invention.

THIS IS PAGE 2 OF AN ASSIGNMENT FROM THE INVENTOR TO

ASSIGNEE: Abaco PR, Inc.

INVENTION TITLE: SYSTEM AND METHOD FOR REMOTE COMMUNICATION TRANSACTIONS.

As to all U.S. patent applications assigned under this agreement, the ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all Letters Patent to the ASSIGNEE as the assignee of the entire right, title and interest, for the sole use and enjoyment of said ASSIGNEE, its successors and assigns.

Further, the ASSIGNOR(S) agree(s) to communicate to said ASSIGNEE, or its representatives, any facts known to the ASSIGNOR(S) respecting said invention, and testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, substitute, renewal, reexamination and reissue applications, execute all necessary assignment papers to cause any and all Letters Patent to be issued to said ASSIGNEE, make all rightful oaths and generally do everything necessary or desirable to aid said ASSIGNEE, its successors and assigns, to obtain and enforce proper protection for said invention.

The ASSIGNOR(S) authorize(s) any attorneys and agents who have a power of attorney in this application to check any appropriate boxes and to insert the Application Number and filing date in this document after it has been executed.

Carlos Arteaga
Name of Inventor #1

C. Arteaga.

4/05/2001.

Date

Kip Fergusson
Name of Inventor #2

K.K. Ferguson

4/05/2001

Date

Jamie Painter
Name of Inventor #3

Jamie Painter

04/05/2001

Date

Robert Ortiz
Name of Inventor #4

Robert Ortiz

3/12/2001

Date

Josean Mendez
Name of Inventor #5

Josean Mendez

3/09/2001

Date

Jose Carlos Estefania
Name of Inventor #6

Jose Carlos Estefania

5/25/2001

Date

Pedro Rivera
Name of Inventor #7

Pedro Rivera

3-7-2001

Date

Charlie Jimenez
Name of Inventor #8

Charlie Jimenez

3-7-2001

Date



DATE: May 17, 2004

TO: Eric J. Hanson
Smith, Gambrell & Russell, LLP
Suite 3100, Promenade II
1230 Peachtree Street, N.E.
Atlanta, GA 30309-3592
404.815.3706
404.685.7006 (fax)
ehanson@sgrlaw.com

FROM: Rene R. Lorenzo
Abaco, Inc.
Phone: 305 992 4796

Rene R Lorenzo

From: "Frank Rodriguez" <frodriguez@abacomobile.com>
To: <Rlorenzo@abacomobile.com>
Sent: Tuesday, May 18, 2004 10:23 AM
Subject: Address'

Carlos Arteaga
4350 Old Oak Trace
Cumming GA 30041

(1)

lambda

Marcos Méndez
6620 Misty Lane
Cumming GA 30040

(2)

abaw pr
008

Alberto Diaz
10535 Haynes Forest Drive (3)
Alpharetta GA 30022

Kipchoge Fergusson
3789 Market Crescent
Clarkston GA 30021

(4)

~~Jose A Méndez
121 Costa Rica Street
Apt 103 Cond. El Bilbao
San Juan PR 00917~~

~~Pedro Rivera
Urb. Monterey
250 Himalaya
San Juan PR 00926~~

Disclaimer:

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SMITH, GAMBRELL & RUSSELL, LLP

ATTORNEYS AT LAW

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Eric J. Hanson
Ph: (404) 815-3706
Fax: (404) 685-7006
E-Mail: ehanson@sgrlaw.com

May 18, 2004

Via Federal Express

Mr. Carlos Arteaga
4350 Old Oak Trace
Cumming, GA 30041

URGENT ATTENTION REQUESTED

Re: U.S. Patent Application No. 10/624,939 filed July 22, 2003 (based on U.S. Provisional Patent Application No. 60/399,440 filed July 29, 2002)
Entitled: **"SYSTEM AND METHOD FOR TRANSFER, CONTROL, AND SYNCHRONIZATION OF DATA"**
Our Ref: 049225.008

Dear Mr. Arteaga:

This firm is counsel to Abaco, Inc. (the "Company"), the assignee of all patent rights in the above-referenced patent application.

Pursuant to United States Patent and Trademark Office (PTO) requirements that individual inventors execute an oath or declaration that they have reviewed any patent application for which that individual is an inventor, and your prior agreement to assist the Company as necessary in the prosecution of its rights in the invention (copy enclosed), we are enclosing a compact disk containing a copy of the patent application that the Company filed with the PTO on July 22, 2003 that includes claims in which you have been identified as an inventor.

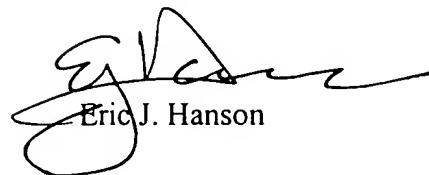
We have also enclosed a Declaration for your execution after you have reviewed the application. Please insert all required information, sign and date the Declaration as indicated by the "SIGN HERE" tab, then return the original to us for filing with the PTO. We respectfully request that you review the enclosed application and return the executed Declaration as soon as possible to avoid delays that may irreparably prejudice earlier acquisition of such rights.

Mr. Carlos Arteaga
May 18, 2004
Page 2

Thank you for your cooperation in this matter, and please contact us if you have any questions regarding this matter.

Yours very truly,

SMITH, GAMBRELL & RUSSELL, LLP



Eric J. Hanson

EJH/CSN/tg
Enclosures

cc: Mr. Rene Lorenzo
Abaco, Inc.
6430 S.W. 159th Place
Miami, Florida 33193

SMITH, GAMBRELL & RUSSELL, LLP

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Eric J. Hanson
Ph: (404) 815-3706
Fax: (404) 685-7006
E-Mail: ehanson@sgrlaw.com

May 18, 2004

Via Federal Express

URGENT ATTENTION REQUESTED

Mr. Marcos Mendez
6620 Misty Lane
Cumming, GA 30040

Re: U.S. Patent Application No. 10/624,939 filed July 22, 2003 (based on U.S. Provisional Patent Application No. 60/399,440 filed July 29, 2002)
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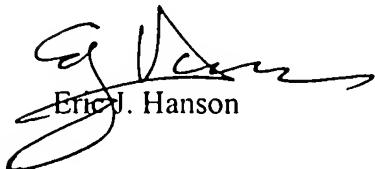
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Mr. Marcos Mendez
May 18, 2004
Page 2

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SMITH, GAMBRELL & RUSSELL, LLP



Eric J. Hanson

EJH/CSN/tg
Enclosures
cc: Mr. Rene Lorenzo
Abaco, Inc.
6430 S.W. 159th Place
Miami, Florida 33193

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Eric J. Hanson
Ph: (404) 815-3706
Fax: (404) 685-7006
E-Mail: ehanson@sgrlaw.com

May 18, 2004

Via Federal Express

Mr. Kipchoge Ferguson
3789 Market Crescent
Clarkston, GA 30021

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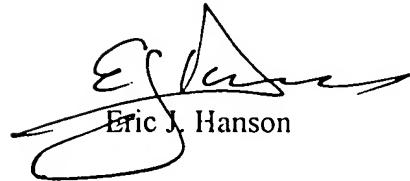
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Mr. Kipchoge Ferguson
May 18, 2004
Page 2

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Eric J. Hanson

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cc: Mr. Rene Lorenzo
Abaco, Inc.
6430 S.W. 159th Place
Miami, Florida 33193

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Alpharetta, GA 30022

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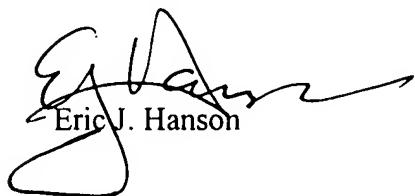
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Mr. Alberto Diaz
May 18, 2004
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Miami, Florida 33193

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Tracking number	605814956450	Reference number	040922.008
Signed for by	C.ARTEAGA	Delivered to	Recipient
Ship date	May 18, 2004	Delivery location	CUMMING GA
Delivery date/time	May 19, 2004 12:07 pm	Service type	Standard Envelope

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Date/time	Status	Location	Comments
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	7:28 am Arrived at FedEx Destination Location	ALPHARETTA GA	
	5:18 am Left FedEx Ramp	HAPEVILLE GA	
May 18, 2004	9:44 pm Arrived at FedEx Ramp	ATLANTA GA	
	9:19 pm Left FedEx Origin Location	ATLANTA GA	
	5:53 pm Picked up by FedEx	ATLANTA GA	

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Tracking number	605814956438	Reference number	040922.008
Signed for by	A. DIAZ	Delivered to	Recipient
Ship date	May 18, 2004	Delivery location	ALPHARETTA GA
Delivery date/time	May 19, 2004 12:36 pm	Service type	Standard Envelope

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Date/time	Status	Location	Comments
May 19, 2004	12:36 pm Delivered	ALPHARETTA GA	No signature required - release waiver on file
	12:36 pm Delivered	ALPHARETTA GA	No signature required - release waiver on file
	7:59 am On FedEx vehicle for delivery	ALPHARETTA GA	
May 18, 2004	7:13 am Arrived at FedEx Destination Location	ALPHARETTA GA	
	5:18 am Left FedEx Ramp	HAPEVILLE GA	
	9:44 pm Arrived at FedEx Ramp	ATLANTA GA	
	9:19 pm Left FedEx Origin Location	ATLANTA GA	
	5:53 pm Picked up by FedEx	ATLANTA GA	

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Tracking number 605814956449
 Signed for by 14730929
 Ship date May 18, 2004
 Delivery date/time May 19, 2004 10:23 am

Reference number 040922.008
 Delivered to Recipient
 Delivery location CUMMING GA
 Service type Standard Envelope

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Date/time	Status	Location	Comments
May 19, 2004 10:23 am	Delivered	CUMMING GA	No signature required - release waiver on file
10:23 am	Delivered	CUMMING GA	No signature required - release waiver on file
8:05 am	On FedEx vehicle for delivery	ALPHARETTA GA	
7:28 am	Arrived at FedEx Destination Location	ALPHARETTA GA	
May 18, 2004 9:44 pm	Arrived at FedEx Ramp	ATLANTA GA	
9:19 pm	Left FedEx Origin Location	ATLANTA GA	
5:53 pm	Picked up by FedEx	ATLANTA GA	

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Tracking number	605814956427	Reference number	040922.008
Signed for by	C.FERGUSON	Delivered to	Recipient
Ship date	May 18, 2004	Delivery location	CLARKSTON GA
Delivery date/time	May 20, 2004 2:44 pm	Service type	Standard Envelope

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Date/time	Status	Location	Comments	
May 20, 2004	2:44 pm Delivered	CLARKSTON GA		
	2:44 pm On FedEx vehicle for delivery	DECATUR GA		
	7:29 am On FedEx vehicle for delivery	DECATUR GA		
May 19, 2004	6:26 pm Package status	DECATUR GA	Package in FedEx location	Wrong Address? Reduce future mistakes FedEx Address Check
	2:48 pm Delivery attempt	CLARKSTON GA	Customer not available or Business closed	
	2:47 pm On FedEx vehicle for delivery	DECATUR GA		
	7:40 am On FedEx vehicle for delivery	DECATUR GA		
	7:06 am Arrived at FedEx Destination Location	DECATUR GA		
May 18, 2004	6:47 am Left FedEx Ramp	HAPEVILLE GA		
	9:44 pm Arrived at FedEx Ramp	ATLANTA GA		
	9:19 pm Left FedEx Origin Location	ATLANTA GA		
	5:53 pm Picked up by FedEx	ATLANTA GA		

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TIP: Try just the 1st letter

Street

TIP: Don't include St, Ave, etc

City

State

GA

Zip

First Name

carlos

Last Name

arteaga

You searched for: carlos arteaga in GA

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Arteaga, Rebeca & Carlos

678-947-3803

4350 Old Oak Trce
CUMMING, GA 30041
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State

Zip

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Diaz, Alberto

10535 Haynes Forest Dr
ALPHARETTA, GA 30022

678-319-9499

Maps & Directions | Did you go to school with Alberto Diaz?
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Diaz, Alberto

2185 Capehart Circle NE
ATLANTA, GA 30345

404-321-3853

Maps & Directions | Did you go to school with Alberto Diaz?
Alberto Diaz is in Our Database! [Click Here](#)
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Diaz, Alberto

10134 Henderson Dr
COVINGTON, GA 30014

770-788-9268

Maps & Directions | Did you go to school with Alberto Diaz?
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Diaz, Alberto

902 Hiram Davis Rd
LAWRENCEVILLE, GA 30045

770-236-8247

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mendez

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First Name

marcos

TIP: Try just the 1st letter

Street

TIP: Don't include St, Ave, etc

City

State

GA

Zip

First Name

marcos

Last Name

mendez

You searched for: marcos mendez in GA

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Mendez, Marcos

3160 Buford Hwy NE
ATLANTA, GA 30329

404-636-6190

Maps & Directions | Did you go to school with Marcos Mendez?
Marcos Mendez is in Our Database! [Click Here](#)
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Mendez, Marcos R

6620 Misty Lane
CUMMING, GA 30040

678-513-6039

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fergusson

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k

TIP: Try just the 1st letter

Street

TIP: Don't include St, Ave, etc

City

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Zip

You searched for: k fergusson in GA

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Fergusson, K
3789 Market Crescent
CLARKSTON, GA 30021

404-297-6713

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